

DM-6999A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

CASE NO. DM-6999A

RAJOPADHYE, ET AL.

APPLICATION NO.: 09/599,890

GROUP ART UNIT: 1624

5 FILED: JUNE 21, 2000

EXAMINER: BALASUBRAMANIAN

FOR: VITRONECTIN RECEPTOR ANTAGONIST PHARMACEUTICALS

WILMINGTON, DELAWARE

FEBRUARY 7, 2002

**RESPONSE TO RESTRICTION REQUIREMENT**  
**UNDER 35 U.S.C. § 121**

10

This is in response to the Restriction Requirement under 35 U.S.C. § 121 that was mailed April 4, 2001. A petition for extension of time is attached hereto to extend the time period for response to the Office action for five months or until October 4, 2001. Any deficiency or overpayment should be charged or credited to Deposit Account No. 023850.

15

20 **Amendments to the Claims:**

Please cancel claims 1-57 and 75, without prejudice.

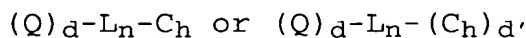
Please amend the following claims 58, 59, and 65-68 as indicated below.

25

Please add additional claims 76-104 that are also indicated below.

58. (Amended) A kit for treating cancer, according to Claim 104, wherein the compound is of the formula:

30



wherein, Q is independently a compound of Formula (Ia) or (Ib):

**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable  
☐ DUPLICATE

Address to:  
Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	DM-6999A
First Named Inventor	Rajopadhye et al.
Examiner Name	V. Balasubramanian
Group / Art Unit	1624
Express Mail Label No.	EL781891278US

TECHNICAL CENTER 1600/2900  
FEB 19 2002

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),

(continued prosecution application (CPA)) of prior application number 09/599,890 filed on A JUNE 21, 2000 entitled VITRONECTIN RECEPTOR ANTAGONIST PHARMACEUTICALS.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application

2. ☒ A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).

a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. ☐ Information Disclosure Statement (IDS) is enclosed:

a. ☒ PTO-1449

b. ☒ Copies of IDS Citations

Adjustment date: 04/02/2002 AKELLEY  
02/13/2002 JADD01 00000079-023850 09599890  
02 FC:128 1960.00 CR

Adjustment date: 04/02/2002 AKELLEY  
02/13/2002 JADD01 00000079-023850 09599890  
04 FC:131 740.00 CR  
05 FC:103 468.00 CR

02/13/2002 JADD01 00000079 023850 09599890

04 FC:131 740.00 CH  
05 FC:103 468.00 CH

[Page 1 of 2]

RECEIVED

duplicate